

CALIFORNIA COASTAL COMMISSION

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PUBLIC NOTICE

Prepared October 28, 2004 (for November 18, 2004 Hearing)

To: Commissioners and Interested Persons

From: Charles Lester, Deputy Director
Diane Landry, District Manager
Susan Craig, Coastal Planner

Subject: **City of Capitola LCP Minor Amendment Number 1-04 (floodplain district requirements, parking & loading requirements, visualization requirements, standards for signs and conditional use permits, and setback requirements in the Community Commercial and Central Village Districts)**

Proposed minor amendment to the City of Capitola certified Local Coastal Program to be heard at the Coastal Commission's November 18, 2004 meeting at the Sheraton Los Angeles Harbor, 601 South Palos Verdes Street, in San Pedro.

The City of Capitola is requesting that its certified Local Coastal Program (LCP) Implementation Plan (IP) be amended. This amendment request was filed on October 21, 2004 pursuant to Coastal Act Section 30510(b) and California Code of Regulations (CCR) Sections 13553 and 13555. The proposed amendments would: 1) Add new definitions and two new subsections to the Flood Plain District regulations (See Exhibit 1, pp. 1-9). These new definitions are consistent with FEMA terminology. The amendment also incorporates FEMA studies and maps by reference; 2) Add a subsection to the Architectural and Site Review regulations that allows the City to require submittal of visual simulations as part of the application for a proposed project, and to require enclosed garbage areas (Exhibit 1, pp. 10-12); 3) Require criteria for placement of real estate "for sale" signs (Exhibit 1, pg. 13); 4) Amend the definition of "use" to include a reference to the allowable activities within a building or on a parcel, in addition to the kinds of intended occupancies for which the building is arranged or designed (Exhibit 1, pg. 14); 5) Amend the setback requirements in the Community Commercial (CC) District and in the Central Village District to require a standard 15 foot setback in the CC District (previous minimum setback was 5 feet) and to add the new requirement of a minimum front yard open space of 10 feet for development along Cliff Drive (Exhibit 1, pp. 15-17); 6) Amend the definition of "floor area" to provide more specificity with respect to parking and loading standards, and define and add parking standards for "quasi-public seating areas" (Exhibit 1, pp. 18-22); 7) add parking standards for bakeries (which were inadvertently deleted in a prior amendment (Exhibit 1, pg. 23), and; 8) Amend the conditional use permit requirement to clarify that conditional use permits are necessary unless the proposed development is a principal permitted use under the zoning



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regulations, and to state that the commencement of any new activity/use will require a conditional use permit unless an existing conditional use permit specifically allows the proposed activity/use (Exhibit 1, pp. 24-25).

Based on its review of submitted materials, the Executive Director has determined that the LCP amendment qualifies as a minor amendment. Section 13554(a) of the California Code of Regulations defines minor amendments to certified Implementation Plans as:

Changes in wording which make the use as designated in the zoning ordinances, zoning district maps or other implementing actions more specific and which do not change the kind, location, intensity, or density of use and which are found by the Executive Director of the Commission or the Commission to be consistent with the Land Use Plan as certified by the Commission.

The proposed amendments add specificity and/or clarify portions of the certified implementation plan. None of the amendments change the kind, location, density, or intensity of use of the implementation ordinances.

The purpose of this notice is to advise interested parties of the Executive Director's determination (pursuant to CCR Section 13555) that the proposed amendment is minor as defined in CCR Section 13554 because it clarifies LCP terminology and is consistent with and adequate to carry out the intent of the City's certified Land Use Plan (CCR Section 13554(a)).

Pursuant to CCR Section 13555, the Executive Director will report this determination to the Coastal Commission at its November 18, 2004 meeting at the Sheraton Los Angeles Harbor located at 601 South Palos Verdes Street in San Pedro. The Executive Director will also report any objections to the determination that are received within ten working days of posting of this notice. The proposed minor amendment will be deemed approved and will become effective immediately unless one-third of the appointed members of the Commission request that it be processed as a major LCP amendment (CCR Section 13555(b)).

If you have any questions or need additional information regarding the proposed LCP amendment or the Commission procedures, please contact Susan Craig in the Coastal Commission's Central Coast District Office in Santa Cruz at the address or phone number listed above. If you wish to register an objection to the proposed minor LCP amendment, please do so by November 12, 2004.

Attachments:

Exhibit 1: Proposed Amendments to the City of Capitola Certified Implementation Plan.

Exhibit 2: Resolution of City Council Adopting Amendments

